

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The non-final Office Action dated July 10, 2008, has been received and its contents carefully reviewed.

In the Office Action, claim 11 is hereby amended and claims 18 and 19 are hereby added. No new matter is added. Accordingly, claims 11 and 14-19 are undergoing examination. Reexamination and reconsideration of claims 11 and 14-19 are respectfully requested.

Claims 11 and 15-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Carr et al. (US 6,391,378) in view of Yamada et al. (US 6,001,203), Enchi et al. (US 6,455,099) and Levey et al. (US 5,409,545). Further, claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Carr et al. (US 6,391,378) in view of Yamada et al. (US 6,001,203), Enchi et al. (US 6,455,099) and Levey et al. (US 5,409,545) and further in view of Kitahara et al. (US 6,595,819). Further, claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over Carr et al. (US 6,391,378) in view of Yamada et al. (US 6,001,203), Enchi et al. (US 6,455,099) and Levey et al. (US 5,409,545) and further in view of Vinouze et al. (US 5,431,771).

Applicant respectfully traverses these rejections. Claim 11 is allowable at least in that each of these references recite a combination of features, including, for example, “lowering a body supporting a syringe having a nozzle at one end towards a substrate...; stopping the lowering when the nozzle contacts the substrate, wherein a contact type switch detects the nozzle contacting the substrate; lifting up the body, wherein the contact type switch detects the nozzle being isolated from the substrate; detecting an initial value between the nozzle and the substrate when a state of the contact switch is switched...” None of the cited reference, alone or in combination, teach or suggest at least these features of the claimed invention.

In particular, Carr discloses, “[t]he controller continues to lower the touch probe until receiving an indication from the proximity sensor 36 that the ring 30 on the cylinder 26 is aligned with the proximity sensor.’ However, Carr fails to teach or suggest all of the above recited features of the claimed invention. Furthermore, none of the remaining cited references remedy the deficiencies of Carr.

Accordingly, Applicant respectfully requests that the rejection of claim 11 be withdrawn. Additionally, Applicant respectfully requests that the rejections of dependent claims 14-17 be withdrawn at least because of their dependence on independent claim 11, and for additional features that they recite. Furthermore, Applicant respectfully request allowance of claims 18 and 19 at least because these claims recite a combination of features neither taught nor suggest by the cited prior art.

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

Applicants believe the foregoing amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. 1.136, and any additional fees required under 37 C.F.R. 1.136 for any necessary extension of time, or any other fees required to complete the filing or this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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